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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,969	11/07/2000	Arlid Fuldseth	107273	7992
757	7590	06/09/2004	EXAMINER	
BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			EL HADY, NABIL M	
			ART UNIT	PAPER NUMBER
			2154	
DATE MAILED: 06/09/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/674,969	FULDSETH ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Nabil M El-Hady	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 November 2000.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>11/29/2000</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

1. Claims 1-16 are pending in this application.
2. Claims 2, 4, and 5 are objected to because of the following informalities: apparent typing error. Appropriate correction is required:
  - a) "and/or or" claim 2, line 3;
  - b) "the transmission of during", claim 4, line 3;
  - c) "viz.", claim 5, line 2.
3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - A. The following words or phrases are not clearly understood rendering the claims unclear or vague:
    - a) "a dedicated server (5)", claim 1, line 8. It is unclear what the term dedicated is referring to in specifying a dedicated server. Common network components, e.g. firewalls, routers, or gateways may be considered dedicated in a data communication network, hence, it is unclear what is special about the claimed server to make it a dedicated server.
    - b) "and/or interfoliated realized steps", claim 2, lines 2-3, and claim 3, line 15, the meaning is unclear.

c) "the specific processing", and "processing a file specifically for one or more users", claim 1, lines 14-16; and claim 3, lines 28-30. The first "specific" refers to the process, while the second "specific" refers to the user, and both are not related.

d) "consecutively", claim 1, lines 16 and 18; and claim 3, lines 30 and 31, it is unclear what is taking place consecutively, specially when the word "consecutives" is being used twice in the same sentence and when and/or is also used.

e) "a resource address and an access code", claim 4, lines 4-5, it is unclear how a resource address and an access code relate to the context of the claim.

B. The following terms lack antecedent basis:

a) "the specific processing", claim 1, lines 16 and 20; and claim 3, lines 30-31 and 35.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (Pramhill et al., WO 98/44402; Frasse, "Compression pros deliver telecom with SITcomm 1.0"; and Abe et al., US 5,270,805), hereafter "AAPA".

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7. Pramhill et al., Frasse, and Abe et al., are cited by the applicant in IDS Paper filed

11/29/2000.

8. As to claim 1, AAPA discloses Pramhill as prior art. Pramhill teaches the invention substantially as claimed including a method in the transmission in a data communications network, particularly Internet (World Wide Web, abstract), of arbitrarily formatted files comprising one or more different data types (p 3, lines 17-18), between a sender comprising a data-processing device (web server 1, Fig. 1) connected to the data communications network (World Wide Web, 2, Fig. 1), wherein the sender represents an information provider, and one or more receivers with respective data processing devices connected with the data communications network, wherein each receiver represents a user (client computer 3, Fig. 1), wherein the transmission takes place via a dedicated server provided in or assigned to the data communications network (p 4, lines 12-13; and server 1, Fig. 3), and which, for the transmission that substantially takes place transparently for both sender and receiver, are downloaded to the data-processing device of the sender (p 18, lines 27 to p19 line 2), and wherein the method is characterized by processing a file (e.g. decrypting requested file a\_graphic.gif, p 10, line 13) specifically for one or more users (for particular user whose request is granted by the sender in combination with e.g. a payment scheme, p3, lines 25-29) and/or one or more applications (Java enabled web browser, such as Netscape Navigator or Microsoft Explorer, p 6, lines 29-30) under determined conditions (request made by client and granted by server), the specific processing (e.g., decryption) taking place consecutively in a data processing device of the server during the transmission (Fig. 6 and Fig. 3) and/or consecutively in the data-processing device of the receiver as the file is received and/or in the data-processing device of the receiver after the file has been received (Fig. 9), and performing the specific processing with software

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which is stored in one or more of the following: the sender, the server or the receiver, and, as required, is transmitted before or in phase with the processing to an actual processing location (decryption by the Java applet, p 10, line 12 which is stored at the receiver and transmitted from the sender to the receiver).

9. Pramhill does not explicitly disclose a database storing the files which shall be transmitted or a database accessible from the sender. However, it is well known in the art, and would have been obvious to one skilled in the art at the time of the invention that the internet which is a combination of web servers and service provider servers, would comprise databases and/or file systems that may be located within each server and/or attached to each server.

10. As to claim 2, AAPA discloses in p 1, lines 10-13 of the specification that data processing of files in connection with data transmission is well known in the art, such data processing can typically consist of various forms of compression coding in order to reduce the data volume which shall be transmitted. AAPA discloses Frasse and Abe et al. as prior arts. AIAPA discloses consecutive or approximately simultaneous steps for compression-coding the file which shall be transmitted with a proprietary data compression procedure or a general loss-free data compression procedure (specification, p 1, lines 10-13), dividing the compression-coded file in packets (Abe et al., abstract and col. 3, lines 27-34), c) transmitting the packet-divided compression-coded file to the dedicated server together with receiver addresses, and providing the packets with receiver address and transmitting the compression-coded file to one or more receivers according to the receiver addresses of the packets (Abe et al., col. 5, lines 1-6; Frasse, col. 1), and decoding the received file at the receiver according to the data

compression procedure or procedures already used for the compression coding (Abe et al., col. 1, lines 56-59; Frasse, end of col. 3 and col. 4).

11. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings presented by AAPA for Pramhill et al., Frasse, and Abe et al. The motivation is obviously clear to use Pramhill arrangement for data transmission to incorporate compression data processing as spelled out by the applicant in the background of the invention in p 1, lines 10-13 of the specification that data processing of files in connection with data transmission is well known in the art, such data processing can typically consist of various forms of compression coding in order to reduce the data volume which shall be transmitted.

12. As to claim 3, the claim is rejected for the same reasons as claims 1 and 2 above.

13. As to claim 4, Pramhill discloses the sender simultaneously with the initialization of the transmission or during or after the transmission to the server sending a message to the receiver with a resource address and an access code and receiving a confirmation from the server when the latter has received the file and the confirmation from the receiver when the latter has received the file and downloaded it to its data-processing device (Figs. 5, 10, and 11).

14. As to claim 5, Pramhill and Abe et al. disclose the arbitrarily formatted file comprises one or more of the following data types, image data, alphanumeric data, graphic data and fonts (p 9, lines 20-21; Abe et al., col. 3, lines 27-34). Pramhill and Abe et al. do not disclose using the proprietary data compression procedure for compressing image data, and using the general loss-free compression procedure substantially for compression of alphanumeric data, graphics

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data and fonts. However, it is well known in the art and would have been obvious to one skilled in the art at the time of the invention that proprietary data compression procedure is used for compressing image data, and general loss-free compression procedure is substantially used for compression of alphanumeric data, graphics data and fonts.

15. As to claim 6, the claim is rejected for the same reasons as claims 1-3 above. In addition, the teachings of Pramhill, Frasse, and Abe et al. may obviously be combined to replace and/or add Pramhill's cryptographic or watermark file processing software at the sender's side and the automatically downloaded Java applet object from the sender to the receiver's side with software for data compression coding and decoding in the server and downloading said software automatically respectively to the data-processing device of the sender for coding the file when the transmission is initialized and to the data-processing device of the receiver for decoding the file when it is received.

16. As to claim 7, Abe et al. discloses the packet division taking place dependent on the data type, such that each packet comprises a determined data type (col. 1, lines 45-55; and col. 3, lines 27-34).

17. As to claim 8, the claim is rejected for the same reasons as claims 1-3 and 6 above. In addition, Pramhill discloses the software for the specific processing either being stored at the sender and/or at the receiver and being transmitted to the data-processing device of the server when the processing shall take place, or beforehand stored in the data-processing device of the server, and after the specific processing again compression-coding the file with software stored in the server for transmission to the receiver (p 2, line 23 to p 3, line 29; and p10, lines 22-38),

the server on the basis of the receiver address checking whether processing conditions are present (e.g. a payment scheme, p3, lines 25-29; and p 11, lines 4-14).

18. As to claim 9, Pramhill discloses the processing conditions assigned to a determined receiver address being stored in the server together with software for the processing and being accessed by the server on the basis of the receiver address (p 4, lines 15-29).

19. As to claim 10, the claim is rejected for the same reasons as claims 1-3 and 6 above. In addition, Pramhill discloses performing the specific processing on one or more determined data types such that only packets comprising the determined data type are decoded before the processing and coded anew after the processing has terminated (p 9, line 15 to p 10, line 31).

20. As to claim 11, Pramhill discloses the decoding of the file at the receiver taking place consecutively as the file is received (p 10, lines 21-31).

21. As to claims and 14, the claim is rejected for the same reasons as claims 1-3 and 6 above. In addition, Pramhill discloses the software for the processing either the encoding or the specific processing being stored at the receiver and/or in the sender and/or in the server and being transmitted to the data-processing device or the receiver when processing shall take place or beforehand being stored in the data-processing device of the receiver (p 2, line 23 to p 3, line 29; and p10, lines 22-38).

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22. As to claim 13, Abe et al. discloses storing the file as it is received in the data-processing device of the receiver, and then decoding the file by the receiver at a later suitably selected time (col. 8, lines 60-68).

23. As to claim 15, Pramhill discloses the dedicated server being implemented on a general network server at the sender (p 4, lines 12-13; and server 1, Fig. 3).

24. As to claim 16, Pramhill discloses user names, receiver addresses, files and the given processing conditions assigned to user names or receiver addresses temporarily or permanently are stored in a database provided in the serve (inherent in p 11, lines 4-14).

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (703) 308-7990. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 7, 2004

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